

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SEAN DeCRANE, ) CASE NO. 1:16 CV 2647  
                  )  
Plaintiff,       ) JUDGE CHRISTOPHER A. BOYKO  
                  )  
v.                ) MAGISTRATE JUDGE  
                  ) WILLIAM H. BAUGHMAN, JR.  
EDWARD ECKART, *et al.*, )  
                  )  
Defendants.      ) **ORDER**  
                  )

District Judge Boyko has referred to me<sup>1</sup> for disposition the motion to compel discovery and for sanctions<sup>2</sup> filed by the City of Cleveland. The parties have filed additional briefing and a status report.<sup>3</sup>

To resolve this dispute, I hereby order under Federal Rule of Evidence 502(d) that the attorney-client privilege or work product protection is not waived by disclosure connected with the litigation pending before the court and such disclosure is also not a waiver in any other federal or state proceeding.

In light of this order, and subject to its terms, the plaintiff must disclose the audio recordings at issue on or before May 10, 2018. The plaintiff may make that disclosure under

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<sup>1</sup>ECF #54.

<sup>2</sup>ECF #52.

<sup>3</sup>ECF #s 62, 66, and 79.

the stipulated protective order<sup>4</sup> entered in this case. All arguments as to the admissibility of the content of the disclosures is preserved and will be heard and decided in connection with the merits of the case.

The motion for sanctions is denied subject to the plaintiff's compliance with this order.

The referral for disposition of the motion to compel and for sanctions is terminated.

IT IS SO ORDERED.

Dated: April 27, 2018

s/ William H. Baughman, Jr.  
United States Magistrate Judge

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<sup>4</sup>ECF # 25